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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HENNINGER CONCRETE, INC., and
R.K.W. REDI-MIX CONCRETE, INC.,

Plaintiffs,

vs.

HOLCIM (US) INC.,

Defendant.

Case No. 02-71767

Judge Lawrence Zatkoff

FILED
2003 JUL 23 P 4:50
U.S. DIST. COURT CLERK
EAST. DIST. MICHIGAN
DETROIT

NOTICE OF HEARING

PLEASE TAKE NOTICE that the Defendant's Motion and Brief for a One-Week Extension of Time in Which to File its Response to Plaintiffs' Motion to Exclude Testimony of Defendant's Expert Witness will be brought on for hearing before the Honorable Lawrence Zatkoff if the Court determines that oral argument would aid in the resolution of the issues raised.

Respectfully Submitted,



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Counsel for Defendant Holcim (US) Inc.

July 23, 2003

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EASTERN DISTRICT OF MICHIGAN
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HENNINGER CONCRETE, INC., and
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HOLCIM (US) INC.,

Defendant.

Case No. 02-71767

Judge Lawrence Zideoff

Magistrate Judge Cape

**DEFENDANT'S AGREED MOTION AND BRIEF FOR A ONE-WEEK EXTENSION OF
TIME IN WHICH TO FILE ITS RESPONSE TO PLAINTIFFS' MOTION TO
EXCLUDE TESTIMONY OF DEFENDANT'S EXPERT WITNESS**

Holcim (US) Inc. ("Holcim") respectfully submits this Agreed Motion and Brief for a One-Week Extension of Time in Which to File its Response to Plaintiffs' Motion to Exclude Testimony of Defendant's Expert Witness.

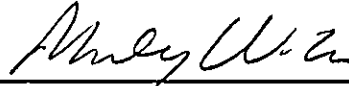
STATEMENT OF THE ISSUE

Whether Holcim shall be permitted a one-week extension until August 4, 2003 to file its Response to Plaintiffs' Motion to Exclude Testimony of Defendant's Expert Witness?

Defendant Holcim requests that it be allowed until August 4, 2003 to file its Response to Plaintiffs' Motion to Exclude Testimony of Defendant's Expert Witness. No other changes to the Court's previously established schedule for this matter are proposed. In support of this motion, Holcim states as follows:

1. On or about July 9, 2003, Plaintiffs filed a second motion for summary judgment as well as their Motion to Exclude Testimony of Defendant's Expert Witness.
2. Holcim's response to Plaintiffs' summary judgment motion is due on August 4, 2003 and its response to Plaintiffs' Motion to Exclude Testimony of Defendant's Expert Witness is currently due on July 28, 2003.
3. The motion filed by Plaintiffs' to exclude the testimony of Holcim's technical expert raises complex factual and legal issues and will require a Holcim to file a response brief that addresses all of the issues raised.
4. Holcim respectfully requests that this Court grant it a one (1) week extension to file its response to Plaintiffs' Motion to Exclude Testimony of Defendant's Expert Witness until August 4, 2003.
5. This request, if granted, would have no effect on the Court's previously established schedule.
6. The parties have conferred regarding this short extension of time, and Plaintiffs have no objection.
7. A proposed order is attached hereto.

Respectfully Submitted,



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Counsel for Defendant Holcim (US) Inc.

July 23, 2003

CERTIFICATE OF SERVICE

I certify that, on this 23rd day of July, 2003, I served by facsimile and United States Mail a copy of Defendant's Agreed Motion and Brief for a One-Week Extension of Time in Which to File its Response to Plaintiffs' Motion to Exclude Testimony of Defendant's Expert Witness upon:

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